

REMARKS

Prior to this communication, claims 1-17 and 27-29 are pending in the application. In the pending Office action, claims 1, 2, and 5-9 stand rejected, and claims 3, 4, 10-17, and 27-29 are withdrawn from consideration. By this amendment, Applicants are amending claim 2; thus leaving claims 1, 5-9 unchanged. Reexamination and reconsideration of claims 1, 2, and 5-9 in view of the amendment and remarks contained herein are respectfully requested.

Claims 1 stands rejected under 35 U.S.C § 102(b) as being anticipated by U.S. Patent No. 5,783,888 (“Yamano”). A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *M.P.E.P.* § 2131. Applicants assert the Yamano reference does not teach or suggest each and every claimed element as set forth in claim 1.

Claim 1 is repeated below for the Examiner’s reference.

1. An electric motor comprising:
 - a single end frame;
 - a stator having a stator core, a first end fixed relative to the end frame, and a second end remote from the end frame;
 - a shaft supported by the end frame for rotation about a shaft axis;
 - a rotor having opposite sides spaced in the direction of the shaft axis, the rotor being connected to the shaft for rotation with the shaft relative to the stator, the shaft being supported on only one side of the rotor for rotation about the shaft axis; and
 - a canopy configured to cover at least a portion of the rotor and the second end of the stator during normal operation of the electric motor, a portion of the stator core being exposed between the end frame and the canopy at all times during normal operation of the electric motor, the shaft not being supported by the canopy for rotation about the shaft axis.

The Yamano reference does not teach or suggest, among other things, “a portion of the stator core being exposed between the end frame and the canopy at all times during normal operation of the electric motor.” Rather, the Yamano reference discloses a rotary electric machine having a stator 6. The Yamano reference further states that the stator 6 has “a winding 6a and an iron core 6b” and “the entire periphery of the stator 6 including the winding 6a and iron core 6b is molded by the synthetic resin member 7.” Col. 7, line 25; and col. 7, lines 24-26. That is, the stator 6, including the winding 6a and the iron core 6b, has been totally enclosed by the synthetic resin member 7. Consequently, the synthetic resin member 7 is not part of the stator 6, and the stator, let alone the stator core, is not exposed between the end frame and the canopy.

Even if the Examiner disagrees with the above, a portion of the stator core 6b of the Yamano machine is not exposed between the end frame and the canopy at all times during normal operation of the electric motor. More specifically and according to the Office, the stator core includes ribs 7r and screw 1b, both of which are exposed between the end frame and the canopy at all times during normal operation of the electric motor. See Section 8 of the pending Action. Applicants assert that the ribs 7r and screw 1b are not part of the stator core 6b. *The Authoritative Dictionary of IEEE Standards Terms, 7th Edition*, page 1107, defines the term “stator core (rotating machinery)” as “the stationary magnetic-circuit of an electric machine. It is commonly an assembly of laminations of magnetic steel, ready for winding.” The stator core as defined by the above dictionary does not include the ribs 7r and the screw 1b. Additionally, the Yamano reference discloses that “[r]ibs 7r may be provided on the outer periphery of the synthetic resin member 7.” (Col. 7, lines 36 – 37.) As previously described, since the synthetic resin member 7 is not part of the stator 6, and the synthetic resin member 7 entirely encloses the stator 6, the ribs 7r arranged on the outer periphery of the synthetic resin member 7 therefore cannot be any portion of the stator core 6b. Moreover, the Yamano reference teaches that “[a]n end face of the synthetic resin member 7 on the flange side is closely contacted with the annular disk and fixed by a screw 1b.” (Col. 7, lines 26 – 28.) That is, Yamano teaches that the screw 1b fixes the end face of the synthetic resin member 7 to the annular disk 1. As similarly described earlier, since the synthetic resin member 7 is not part of the stator 6, and the synthetic resin member 7 entirely encloses the stator core 6b, the screw 1b that fixes the end face of the synthetic resin member 7 to the annular disk 1 cannot be any portion of the stator 6. Therefore, the Yamano reference does not contradict the definition of the term “stator core” from the *IEEE Dictionary*, and the Yamano reference does not teach or suggest claim 1 as asserted by the Office.

Before proceeding further, Applicants also note that the Yamano reference teaches away from claim 1 and teaches away from combining with other references to result in claim 1 since “the entire periphery of the stator 6 including the winding 6a and iron core 6b is molded by the synthetic resin member 7.” That is, the Yamano reference explicitly teaches away from having a portion of the stator core being exposed between the end frame and the canopy at all times during normal operation of the electric motor. Accordingly, independent claim 1 is allowable.

Claim 2 stands rejected under 35 U.S.C § 112, first paragraph as failing to comply with the written description requirement. Specifically, the Office asserted that the original claim 2 contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

In response, Applicants direct the Office to page 9, ¶ [0038] of the application which states, “[A] portion of the stator core is exposed between the canopy 18 and the end frame 14 during normal operation of the motor 10. This exposure of the stator core allows motors having different performance specifications to be manufactured using the same end frame 14 and canopy 18.” The paragraph also states, “The amount of stator core exposed between the canopy 18 and the end frame 14 is generally larger for larger horsepower motors and smaller for smaller horsepower motors.” Additionally, Applicants remind the Examiner that the originally filed claims are also part of the disclosure. Based on the above, Applicants believes the rejection was improper. Nevertheless, in an effort to hasten prosecution of the application, the Applicants have amended claim 2 in an effort to clarify claim 2. Applicants request withdrawal of the rejection of amended claim 2 under 35 U.S.C. § 112, first paragraph.

Claim 2 was also rejected under 35 U.S.C § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Office asserts that claim 2 is indefinite because it is not clear what the first and second overall axial length of the stator is.

Applicants have amended claim 2 to specify that the electric motor is configured to selectively include one of a first performance specification and a second performance specification. Amended claim 2 further specifies the first performance specification requires the stator core to have a first axial length being exposed between the canopy and the end frame, and the second performance specification requires the stator core to have a second axial length being exposed between the canopy and the end frame, where the first axial length is smaller than the second axial length. Applicants request withdrawal of the rejection of amended claim 2 under 35 U.S.C. § 112, second paragraph in view of the amendment.

Claims 2 and 5-9 depend, either directly or indirectly, from claim 1, and consequently, include patentable subject matter for the reasons set forth above with respect to claim 1. Accordingly, claims 2 and 5-9 are allowable.

CONCLUSION

Entry of the Amendment and allowance of claims 1, 2, and 5-9 are respectfully requested. Additionally, Applicants request reconsideration regarding the withdrawn claims upon allowance of the rejected claims. The undersigned is available for telephone consultation at any time during normal business hours.

Respectfully submitted,



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